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UNITED STATES OF AMERICA

CRIMINAL NO. 03-cr-50033(3)

VERSUS

JUDGE WALTER

REGAN GATTI

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that Defendant's Motion to Vacate (Doc. 318) is denied.

of // /aven., 2010

DONALD E. WALTER

UNITED STATES DISTRICT JUDGE